

THE HON'BLE SRI JUSTICE C.V. RAMULU

Thursday, 26th day of July, 2007

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W.P.No.13106 of 1998

Between:-

S. Ravi Ram

... Petitioner

and

The Regional Manager,
A.P.S.R.T.C., Nalgonda
District and another

... Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.13106 of 1998

ORAL ORDER:

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This Writ Petition is filed seeking a Mandamus declaring the action of the respondents in not considering the case of the petitioner for appointment to the post of Sweeper-cum-Scavenger on compassionate grounds as arbitrary and illegal, besides violative of Articles 14 and 21 of the Constitution of India and consequently to direct the respondents to consider the case of the petitioner for appointment to the post of Sweeper-cum-Scavenger on compassionate grounds.

It appears, father of the petitioner – late Om Prakash – while serving the respondent-A.P. State Road Transport Corporation as Sweeper-cum-Scavenger died in harness on 3-9-1993. Therefore, the petitioner claimed appointment to the post of Sweeper-cum-Scavenger on compassionate grounds. According to the petitioner, his representations, in this regard, were not replied. Therefore, this Writ Petition.

There is no necessity of going into all the details. It is an admitted fact that the mother of the petitioner was already employed in the respondent-Corporation even prior to the death of his father. On that ground, the case of the petitioner was not considered. Whereas, learned counsel for the petitioner states that since the mother of the petitioner was employed even prior to the death of the father of the petitioner, on the death of his father, he is entitled to claim

compassionate appointment. I am of the opinion that this is a misconception. Compassionate appointment is not a charity. It is provided to meet the exigencies to get over the distress in the family. In this case, as the mother of the petitioner is already employed in the respondent-Corporation, there is no distress and the petitioner cannot claim compassionate appointment as a matter of right. The Writ Petition is devoid of any merit and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

26-7-2007

prk